

an inlet in communication with said second region, said inlet positioned after said second region receives the water from said porting region; and a space for air, within said second region, defined by a right angle formed between said porting region and said inlet.

### **REMARKS**

The abstract of the disclosure was objected to due to the use of legal phraseology (i.e. device) on line 1. In response, care has been taken to remove legal phraseology in the amended abstract included with this response.

Claims 1, 2, 4-14 were rejected under 35 U.S.C 102(b) as being anticipated by Mullick (US 3,071,081). Claim 1 and claim 14 (the independent claims from which all other claims depend) have been amended herein with the limitation that there is "a space for air, within said third region, defined by a right angle formed between said porting region and said inlet." This is consistent with the detailed description and Figure 1. In contrast, Mullick's device does not have a space for air within a third region defined by a right angle formed between a porting region and an inlet. Applicant respectfully advances that, as stated in the detailed description, the relationships between parts of the invention are very important to it working properly; thus, this limitation to the claims is important to making the present invention work properly. Additionally, claim 1 has been amended to include that the porting region is cylindrical. Applicant believes that the claims are now in condition for allowance.

Claim 3 was rejected under 35 U.S.C 103(a) as being unpatentable over Mullick (US 3,071,081). Applicant believes that the aforementioned amendments to claim 1, as aforementioned, now place claim 3 in condition for allowance.

This office action is submitted three months past the statutory period for response, a petition for a three-month extension of time is hereby made and authorization to charge deposit account 500356 is hereby given.

**CERTIFICATE OF MAILING**

I hereby certify that this response was mailed on January 17, 2003, to the Commissioner of Patents, Washington, DC 20231, via US First Class Postage Prepaid Mail.

**The Examiner is encouraged to please call the Attorney-of-Record, Michael L. Greenberg, at 301-588-8393 should the claims not be in condition for allowance. This has been submitted with an RCE.**

Respectfully submitted,

Michael L. Greenberg, Esq.

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**MARKED UP CLAIMS**

I Claim:

1. A mixing device for receiving water, comprising:

a first region that receives the water;

a second region that then receives the water, in communication with said first region;

a cylindrical porting region that then receives the water, constricting the end of said second region;

a third region that then receives the water, in communication with said porting region;

an inlet in communication with said third region, said inlet positioned after said third region receives the water from said porting region;

a space for air, within said third region, defined by a right angle formed between said porting region and said inlet;

a tube attached to said inlet;

a solution apparatus in communication with said tube; and

a point of dispersal of the water, in communication with said third region.

14. A mixing device for receiving water, comprising:

a first region that receives the water;

a porting region that then receives the water, constricting the end of said first region;

a second region that then receives the water, in communication with said porting region; [and]

an inlet in communication with said second region, said inlet positioned after said second region receives the water from said porting region; and

a space for air, within said second region, defined by a right angle formed between said porting region and said inlet.

MARKED UP ABSTRACT

(Amended)

A mixing [device] attachment which can simplify the showering process by allocating soap, moisturizers, fragrances, and other detergent-type fluids through a shower head using the venturi concept so as to integrate the substance with the regularly dispensed water flow.